IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 30TH MAY 2007 / 9TH JYAISHTA 1929

Bail Appl..No. 2451 of 2007()

CRIME NO.150/07 OF KUNDARA P0LICE STATION

: PETITIONER/IST ACCUSED

JOSE, S/O.MICHAEL, AGED 37 YEARS,
SHIBU NIVAS, CHERUMOODU, VELLIMAN PO.
KUNDARA, KOLLAM.

BY ADV. SRI.DILEEP P.PILLAI

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 30/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2451 OF 2007 B

Dated this the 30th day of May, 2007

O R D E R

Petitioner, who is the 1st accused in Crime No.150/07 of Kundara Police Station for offences punishable under Secs.308, 452, 323 and 324 read with sec.34 I.P.C. and section 2 of the Arms Act, seeks anticipatory bail. The occurrence took place on 18.2.2007.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioner to surrender before the Investigating Officer for the purpose of interrogation and then to have his application for bail considered by the Magistrate having jurisdiction. Accordingly, the petitioner shall surrender before the investigating officer on any day between 06-06-2007 and 08-06-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioner shall, thereafter, be produced on the same day before the Magistrate, who shall consider his application for regular bail, preferably on the same date on which such application is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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